

WEST'S ANNOTATED CALIFORNIA CODES
LABOR CODE
DIVISION 3. EMPLOYMENT RELATIONS
CHAPTER 4. APPRENTICESHIP

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Current through Ch. 219 of 2002 Reg. Sess. urgency Legislation,
ch. 19(end) of 2nd Ex. Sess., ch. 4 of 3rd Ex.Sess., & March 5, 2002 election

§ 3070. Apprenticeship council; composition; appointment; terms; compensation; traveling expenses

There is in the Division of Apprenticeship Standards the California Apprenticeship Council, which shall be appointed by the Governor, composed of six representatives each from employers or employer organizations and employee organizations, that sponsor apprenticeship programs under this chapter, respectively, geographically selected, and of two representatives of the general public. The Director of Industrial Relations, or his or her permanent and best qualified designee, and the Superintendent of Public Instruction, or his or her permanent and best qualified designee, and the Chancellor of the California Community Colleges, or his or her permanent and best qualified designee, shall also be members of the California Apprenticeship Council. The chairperson shall be elected by vote of the California Apprenticeship Council. Beginning with appointments in 1985, three representatives each of employers and employees, and one public representative shall serve until January 15, 1989. In 1987, three representatives each of the employers and employees, and one public representative shall serve until January 15, 1991. Any member whose term expires on January 15, 1986, shall continue to serve until January 15, 1987. Thereafter each member shall serve for a term of four years. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his or her predecessor shall be appointed for the remainder of that term. Each member of the council shall receive the sum of one hundred dollars (\$100) for each day of actual attendance at meetings of the council, for each day of actual attendance at hearings by the council or a committee thereof pursuant to Section 3082, and for each day of actual attendance at meetings of other committees established by the council and approved by the Director of Industrial Relations, together with his or her actual and necessary traveling expenses incurred in connection therewith.

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(Added by Stats.1939, c. 220, p. 1472, § 2. Amended by Stats.1941, c. 974, p. 2611, § 1; Stats.1943, c. 513, p. 2057, § 1; Stats.1955, c. 1137, p. 2129, § 1; Stats.1969, c. 313, p. 680, § 1; Stats.1969, c. 460, p. 1023, § 9; Stats.1969, c. 1360, p. 2750, § 5; Stats.1976, c. 301, p. 609, § 2; Stats.1980, c. 1165, p. 3917, § 3; Stats.1984, c. 834, § 1.)

2002 Electronic Update

(Amended by Stats.1999, c. 903 (A.B.921), § 4.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

2002 Electronic Update

1999 Legislation

Section 1 of Stats.1999, c. 903 (A.B.921), provides:

"The Legislature finds and declares that apprenticeship programs are a vital part of the educational system in

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California. It is the purpose and goal of this legislation to strengthen the regulation of apprenticeship programs in California, to ensure that all apprenticeship programs approved under Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code meet the high standards necessary to prepare apprentices for the workplaces of the future and to prevent the exploitation of apprentices by employers or apprenticeship programs. It is further the intent of the Legislature that apprenticeship programs should make active efforts to recruit qualified men, women, and minorities and train them in the skills needed for the workplace."

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Under the provisions of § 6 of Stats.1969, c. 1360, the 1969 amendments of this section by c. 313 and c. 460 were given effect and incorporated in the form set forth in § 5 of c. 1360. An amendment of this section by § 1 of Stats.1969, c. 1360, failed to become operative under the provisions of § 6 of that Act.

Former § 3070, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CROSS REFERENCES

Director of industrial relations, see Labor Code § 51 et seq.

CODE OF REGULATIONS REFERENCES

California apprenticeship council, see 8 Cal. Code of Regs. § 200 et seq.

LAW REVIEW AND JOURNAL COMMENTARIES

Enactments of the 1939 legislative session, apprenticeship. 28 Cal.L.Rev. 442, 460 (1940).

Mexican labor law, apprentices. 7 S.Cal.L.Rev. 251 (1934).

LIBRARY REFERENCES

1989 Main Volume

Master and Servant ⚔ 9.1.

WESTLAW Topic No. 255.

C.J.S. Apprentices §§ 2 to 11.

Cal Digest of Official Reports 3d Series, Labor § 5.

NOTES OF DECISIONS

Membership 1

1. Membership

Assistant to director of industrial relations may, while acting as duly authorized representative of director in apprenticeship matters, sit, act, and vote, in absence of director, at meetings of apprenticeship council. 5

Ops.Atty.Gen. 40, 1-19-45.

West's Ann. Cal. Labor Code § 3070

CA LABOR § 3070

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§ 3071. Report on activities of division and council; contents

The California Apprenticeship Council shall meet at the call of the Director of Industrial Relations and shall aid him or her in formulating policies for the effective administration of this chapter.

Thereafter, the California Apprenticeship Council shall meet quarterly at a designated date and special meetings may be held at the call of the chairman. The California Apprenticeship Council shall issue rules and regulations which establish standards for minimum wages, maximum hours, and working conditions for apprentice agreements, hereinafter in this chapter referred to as apprenticeship standards, which in no case shall be lower than those prescribed by this chapter; and shall issue rules and regulations governing equal opportunities in apprenticeship, affirmative action programs which include women and minorities in apprenticeship, and other on-the-job training, and criteria for selection procedures with a view particularly toward eliminating criteria not relevant to qualification for training employment or more stringent than is reasonably necessary.

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(Added by Stats.1939, c. 220, p. 1472, § 2. Amended by Stats.1967, c. 1704, p. 4264, § 1; Stats.1968, c. 1346, p. 2565, § 1; Stats.1969, c. 313, p. 681, § 2; Stats.1973, c. 1206, p. 2615, § 37; Stats.1973, c. 1207, p. 2665, § 37; Stats.1976, c. 1179, p. 5279, § 4, eff. Sept. 22, 1976; Stats.1984, c. 330, § 1; Stats.1985, c. 272, § 1.)

2002 Electronic Update

(Amended by Stats.1991, c. 269 (S.B.411), § 1.)

<General Materials (GM) - References, Annotations, or Tables>

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Conformance with federal requirements of provisions of Stats.1973, c. 1207, see Historical Note under § 2014.

Former § 3071, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CROSS REFERENCES

Complaint for discriminatory practice, procedure, see Labor Code § 3096.

Director of industrial relations, see Labor Code § 51 et seq.

Power of legislature to provide for minimum wages and general welfare of employees, see Const. Art. 14, § 1.

Reports of state agencies, see Government Code § 11090 et seq.

Wages, hours and working conditions of employees, see Labor Code § 1171 et seq.

CODE OF REGULATIONS REFERENCES

Apprenticeship completion certificates, when issued, see 8 Cal. Code of Regs. § 224.

Apprenticeship standards, see 8 Cal. Code of Regs. § 212 et seq.

California apprenticeship council, approval and registration of apprentice agreements, see 8 Cal. Code of Regs. § 206.

Definitions, apprenticeship, see 8 Cal. Code of Regs. § 205.

Payment of prevailing wages upon public works, see 8 Cal. Code of Regs. § 16000 et seq.

Procedures for hearings and determining disputes, see 8 Cal. Code of Regs. § 201 et seq.

Selection procedures, see 8 Cal. Code of Regs. § 215.

Standards for minimum wages, maximum hours and working conditions, see 8 Cal. Code of Regs. § 208 et seq.

Standards for wages, hours and working conditions for trainees, see 8 Cal. Code of Regs. § 258 et seq.

State certificates of training, when issued,

Generally, see 8 Cal. Code of Regs. § 272.

Rules and regulations, see 8 Cal. Code of Regs. § 265 et seq.

Training programs, see 8 Cal. Code of Regs. § 261.

NOTES OF DECISIONS

Area and local councils and committees 5

Back pay and attorneys fees 4

Construction with other laws 1

Other on-the-job programs 2

Preemption 1/2

Wage orders 3

1/2. Preemption

Although state's general authority to approve apprenticeship programs is within scope of ERISA's preemption clause, this authority is saved from preemption by virtue of general savings clause of that statute and fact that it is explicitly provided for in federal laws and regulations governing apprenticeship programs. *Southern Cal. Ch. of Associated Builders etc. Com. v. California Apprenticeship Council* (1992) 14 Cal.Rptr.2d 491, 4 Cal.4th 422, 841 P.2d 1011.

State regulation prohibiting approval of new apprenticeship programs that adversely affect existing

programs is preempted by ERISA; to extent regulation sets forth requirement for approval of apprenticeship programs that is completely independent of those set forth by federal laws and regulations, it does not fall with scope of ERISA's general savings clause, and thus is not saved from preemption. *Southern Cal. Ch. of Associated Builders etc. Com. v. California Apprenticeship Council* (1992) 14 Cal.Rptr.2d 491, 4 Cal.4th 422, 841 P.2d 1011.

1. Construction with other laws

Under this section, the apprenticeship council may approve an apprentice agreement providing that if the indentured apprentice fails to fulfill his obligation under the agreement, which requires him to perform work and attend school, the joint committee shall have power, after hearing, to enforce discipline or suspend employment, and if the apprentice is a member of a local employee organization, to suspend him, and such agreement would not violate the Taft-Hartley Act. 12

Ops.Atty.Gen. 206, 10-14-48.

2. Other on-the-job programs

The California apprenticeship council has authority to establish by regulation, complaint and appeal rights for trainees in "other on-the-job training programs" similar to those accorded apprentices by §§ 3081 to 3085. 64 Ops.Atty.Gen. 74, 2-5-81.

3. Wage orders

Minimum wage fixed by regularly promulgated industrial welfare commission orders, which are enacted under the police power of the state and have force and effect of statutes, will prevail over any minimum wage that may be fixed and approved in an apprenticeship agreement. 1 Ops.Atty.Gen. 251, 3-19-43.

4. Back pay and attorneys fees

The director of the department of industrial relations, as administrator of apprenticeship, is not authorized, in conjunction with a decision made under the state of California plan for equal opportunity in apprenticeship, to award back pay and attorneys fees. 67 Ops.Atty.Gen. 325, 7-24-84.

5. Area and local councils and committees

Director of industrial relations may assign to secretary of California apprenticeship council the responsibility for encouraging area apprenticeship councils and local joint apprenticeship committees. 3 Ops.Atty.Gen. 114, 2-25-44.

West's Ann. Cal. Labor Code § 3071

CA LABOR § 3071

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§ 3072. Administrator of apprenticeship; appointment of assistants

The Director of Industrial Relations is ex officio the Administrator of Apprenticeship and is authorized to appoint such assistants as shall be necessary to effectuate the purposes of this chapter.

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(Added by Stats.1939, c. 220, p. 1473, § 2.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Former § 3072, enacted by Stats.1937, c. 90, relating to apprenticeships of minors, was repealed by Stats.1939, c. 220, § 31.

CROSS REFERENCES

Director of industrial relations, see Labor Code § 51 et seq.

CODE OF REGULATIONS REFERENCES

Definitions, apprenticeship, see 8 Cal. Code of Regs. § 205.

NOTES OF DECISIONS

Participation in council meetings 1

1. Participation in council meetings

Under this section and § 3073, the assistant to the director of the department of industrial relations, acting as his duly authorized representative in apprenticeship matters, may, in the absence of the director, sit, act and

vote at meetings of the apprenticeship council. 5
Ops.Att'y.Gen. 40, 1-19-45.

West's Ann. Cal. Labor Code § 3072

CA LABOR § 3072

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§ 3073. Chief of division of apprenticeship standards; duties

The Chief of the Division of Apprenticeship Standards, or his or her duly authorized representative, shall administer the provisions of this chapter; act as secretary of the California Apprenticeship Council; shall foster, promote, and develop the welfare of the apprentice and industry, improve the working conditions of apprentices, and advance their opportunities for profitable employment; shall ensure that selection procedures are impartially administered to all applicants for apprenticeship; shall gather and promptly disseminate information through apprenticeship and training information centers; shall maintain on public file in all high schools and field offices of the Employment Development Department the name and location of the local area apprenticeship committees, the filing date, and minimum requirements for application of all registered apprenticeship programs; shall cooperate in the development of apprenticeship programs and may advise with them on problems affecting apprenticeship standards; shall audit all selection and disciplinary proceedings of apprentices or prospective apprentices; may enter joint agreements with the Employment Development Department outreach education and employment programs, and educational institutions on the operation of apprenticeship information centers, including positive efforts to achieve information on equal opportunity and affirmative action programs for women and minorities; and shall supervise and recommend apprenticeship agreements as to these standards and perform such other duties associated therewith as the California Apprenticeship Council may recommend. The chief shall coordinate the exchange, by the California Apprenticeship Council, the apprenticeship program sponsors, the Fair Employment and Housing Commission, community organizations, and other interested persons, of information on available minorities and women who may serve as apprentices.

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(Added by Stats.1939, c. 220, p. 1473, § 2. Amended by Stats.1969, c. 313, p. 681, § 3; Stats.1976, c. 1179, p. 5280, § 5, eff. Sept. 22, 1976; Stats.1984, c. 316, § 1; Stats.1985, c. 272, § 2.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Former § 3073, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CODE OF REGULATIONS REFERENCES

Apprenticeship programs, see 8 Cal. Code of Regs. § 218.

Approval of apprenticeship programs, see 8 Cal. Code of Regs. § 212.2.

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NOTES OF DECISIONS

Participation in council meetings 1

1. Participation in council meetings

Under § 3072 and this section, the assistant to the director of the department of industrial relations, acting as his duly authorized representative in apprenticeship matters, may, in the absence of the director, sit, act and

vote at meetings of the apprenticeship council. 5
Ops.Atty.Gen. 40, 1-19-45.

West's Ann. Cal. Labor Code § 3073

CA LABOR § 3073

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§ 3073.1. Random audits; reports

(a) The division shall randomly audit apprenticeship programs approved under this chapter during each five-year period commencing January 1, 2000, to ensure that the program is complying with its standards; that all on-the-job training is performed by journeymen, that all related and supplemental instruction required by the apprenticeship standards is being provided, that all work processes in the apprenticeship standards are being covered, and that graduates have completed the apprenticeship program's requirements. The division shall examine each apprenticeship program to determine whether apprentices are graduating from the program on schedule or dropping out and to determine whether graduates of the program have obtained employment as journeymen. Every apprenticeship program sponsor shall have a duty to cooperate with the division in conducting an audit.

(b) Audit reports shall be presented to the California Apprenticeship Council and shall be made public, except that the division shall not make public information which would infringe on the privacy of individual apprentices. The division shall recommend remedial action to correct deficiencies recognized in the audit report, and the failure to correct deficiencies within a reasonable period of time shall be grounds for withdrawing state approval of a program. Nothing shall prevent the division from conducting more frequent audits of apprenticeship programs where deficiencies have been identified.

(c) The division shall give priority in conducting audits to programs that have been identified as having deficiencies. The division may conduct simplified audits for programs with fewer than five registered apprentices.

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2002 Electronic Update

(Added by Stats.1999, c. 903 (A.B.921), § 5.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

2002 Electronic Update

1999 Legislation

Section 1 of Stats.1999, c. 903 (A.B.921), provides:

"The Legislature finds and declares that apprenticeship programs are a vital part of the educational system in California. It is the purpose and goal of this legislation to strengthen the regulation of apprenticeship programs in California, to ensure that all apprenticeship programs approved under Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code meet the high standards necessary to prepare apprentices for the workplaces of the future and to prevent the exploitation of apprentices by employers or apprenticeship programs. It is further the intent of the Legislature that apprenticeship programs should make active efforts to recruit qualified men, women, and minorities and

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train them in the skills needed for the workplace."

West's Ann. Cal. Labor Code § 3073.1

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§ 3073.2. Industry-specific training criteria

(a) The California Apprenticeship Council may adopt industry-specific training criteria for use by apprenticeship programs subject to the requirements of this chapter. The adoption of these criteria, as established following notice and workshop, under Section 212.01 of Title 8 of the California Code of Regulations shall not be subject to Chapter 3.5 (commencing with Section 11340) of Division 3 of Title 2 of the Government Code.

(b) The audits conducted by the division pursuant to Section 3073.1 shall ensure that any applicable training criteria are followed.

(c) This section shall remain in effect only until January 1, 2003, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2003, deletes or extends that date.

CREDIT(S)

2002 Electronic Update

(Added by Stats.1999, c. 903 (A.B.921), § 6.)

<General Materials (GM) - References, Annotations, or Tables>

REPEAL

<This section is repealed by its own terms on Jan. 1, 2003.>

HISTORICAL AND STATUTORY NOTES

2002 Electronic Update

1999 Legislation

Section 1 of Stats.1999, c. 903 (A.B.921), provides:

"The Legislature finds and declares that apprenticeship programs are a vital part of the educational system in California. It is the purpose and goal of this legislation to strengthen the regulation of apprenticeship programs in California, to ensure that all apprenticeship programs approved under Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code meet the high standards necessary to prepare apprentices for the workplaces of the future and to prevent the exploitation of apprentices by employers or apprenticeship programs. It is further the intent of the Legislature that apprenticeship programs should make active efforts to recruit qualified men, women, and minorities and train them in the skills needed for the workplace."

West's Ann. Cal. Labor Code § 3073.2

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§ 3073.5. Report to legislature and public on activities of division and council

The Chief of the Division of Apprenticeship Standards and the California Apprenticeship Council shall annually report through the Director of Industrial Relations to the Legislature and the public on the activities of the division and the council. The report shall contain information including, but not limited to, analyses of the following:

- (a) The number of individuals, including numbers of women and minorities, registered in apprenticeship programs in this state for the current year and in each of the previous five years.
- (b) The number and percentage of apprentices, including numbers and percentages of minorities and women, registered in each apprenticeship program having five or more apprentices, and the percentage of those apprentices who have completed their programs successfully in the current year and in each of the previous five years.
- (c) Remedial actions taken by the division to assist those apprenticeship programs having difficulty in achieving affirmative action goals or having very low completion rates.
- (d) The number of disputed issues with respect to individual apprenticeship agreements submitted to the Administrator of Apprenticeship for determination and the number of those issues resolved by the council on appeal.
- (e) The number of apprenticeship program applications received by the division, the number approved, the number denied and the reason for those denials, the number being reviewed, and deficiencies, if any, with respect to those program applications being reviewed.
- (f) The number of apprenticeship programs, approved by the Division of Apprenticeship Standards, that are disapproved by the California Apprenticeship Council, and the reasons for those disapprovals.

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2002 Electronic Update

(Added by Stats.1991, c. 269 (S.B.411), § 2. Amended by Stats.1991, c. 806 (A.B.386), § 1.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

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1991 Legislation

This section first took effect in its 1991 amended form since the 1991 addition and the 1991 amendment became effective on the same date.

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§ 3074. Duties of state and local boards for vocational education; payment of excess costs; instruction of isolated apprentices; application of equal opportunity

The preparation of trade analyses and development of curriculum for instruction, and the administration and supervision of related and supplemental instruction for apprentices, coordination of instruction with job experiences, and the selection and training of teachers and coordinators for this instruction shall be the responsibility of, and shall be provided by, state and local boards responsible for vocational education upon agreement with the program sponsor. This responsibility shall not preclude the establishment of off-campus related and supplemental instruction when approved, developed, and operated in cooperation with state and local school boards responsible for vocational education, and when the instruction meets all other requirements of this chapter. It is the intent of this chapter that the instruction shall be made available to apprentices through classroom instruction, correspondence courses, self-study or other means of instruction approved by state and local public education agencies authorized to provide vocational education.

Pursuant to this chapter all excess costs incurred by local public education agencies exceeding state apportionments and local revenue earned by the attendance of apprentices shall be payable by the program sponsor, upon joint agreement between the sponsor and the local education agency. The State Board of Education and the Board of Governors of the California Community Colleges, and the Division of Apprenticeship Standards shall jointly issue regulations regarding calculation and payment provisions of excess costs to be borne by the program sponsors. All funds accrued by local education agencies from attendance in apprenticeship classes authorized by this section shall be expended or allocated for all such classes offered by the local education agency before excess costs may be claimed.

The Department of Education and the Board of Governors of the California Community Colleges may provide related and supplemental instruction to isolated apprentices as a direct instructional service, on a contractual basis with local school districts, by correspondence, or by a combination of these means. For the purpose of this section, an isolated apprentice is an apprentice registered with the Division of Apprenticeship Standards in the Department of Industrial Relations who cannot be enrolled in a class of related and supplementary instruction for apprentices because of the small number of apprentices available for an appropriate class or because there is no existing apprenticeship program within a reasonable travel distance.

Interested parties may file a complaint in accordance with Section 201 of Title 8 of the Administrative Code, when a community college or secondary education district is unable to reach agreement with program sponsors in providing related and supplemental instruction. In the process of securing an amicable adjustment, the administrator, or his or her representative, shall meet with the parties involved, including, but not limited to, the chancellor, or his or her representative, or the Superintendent of Public Instruction, or his or her representative.

Community colleges, and other public school districts, shall refuse to provide related and supplemental instruction to an apprenticeship program when it is determined by the Administrator of Apprenticeship that the program sponsor has been found to be in noncompliance with the State of California Plan for Equal Opportunity in Apprenticeship.

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(Added by Stats.1939, c. 220, p. 1473, § 2. Amended by Stats.1963, c. 1561, p. 3144, § 1; Stats.1969, c. 1360, p. 2748, § 2; Stats.1971, c. 1046, p. 2002, § 1; Stats.1972, c. 1389, p. 2886, § 1; Stats.1975, c. 1051, p. 2485, § 1; Stats.1984, c. 330, § 2.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Former § 3074, enacted by Stats.1937, c. 90, relating to apprenticeship of miners, was repealed by Stats.1939, c. 220, § 1.

CROSS REFERENCES

Attendance report, see Education Code § 8150.

Board of examiners for vocational teachers, generally, see Education Code § 89220 et seq.

Exemption of apprentice from educational fees or charges, see Education Code §§ 48053, 76350.

Exemption of apprentice from interdistrict attendance agreements, see Education Code § 8151.

Free tuition for resident apprentices, see Education Code §§ 48053, 76350.

Junior colleges, tuition fee exemption for apprentices, see Education Code § 76350.

Reimbursement for teaching apprentices, see Education Code § 8152.

Reimbursement rates for apprenticeships, see Education Code § 8152.

CODE OF REGULATIONS REFERENCES

Calculation and payment of excess costs of apprenticeship classes, see 5 Cal. Code of Regs. § 55675.

Content of apprenticeship program standards, see 8 Cal. Code of Regs. § 212.

Joint regulations regarding excess costs for related and supplemental instruction of apprentices, see 8 Cal. Code of Regs. § 235 et seq.

NOTES OF DECISIONS

Enrollment limitations 1

Related or supplemental instruction 2

1. Enrollment limitations

Local school boards are neither compelled nor authorized by the legislature to limit enrollment in classes of supplemental and related instruction for apprentices only to registered apprentices, but the legislature intended that such classes be open to the public subject to the authority of school districts to establish relevant prerequisites. 56 Op.Atty.Gen. 95, 2-23-73.

2. Related or supplemental instruction

The provisions of this section do not require the public schools to provide related and supplemental instruction for apprentices, but rather impose upon such public schools the responsibility for providing such instruction where, in the judgment of the local governing boards, such instruction is justified. 56 Op.Atty.Gen. 95, 2-23-73.

West's Ann. Cal. Labor Code § 3074

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§ 3074.1. Availability of programs; information

In compliance with the affirmative action requirements of California's plan for equal opportunity in apprenticeship, school districts maintaining high schools, community colleges districts, and apprenticeship program sponsors, shall provide students with information as to the availability of apprenticeship programs.

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(Added by Stats.1976, c. 1175, p. 5272, § 1.)

<General Materials (GM) - References, Annotations, or Tables>

West's Ann. Cal. Labor Code § 3074.1

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§ 3074.3. Recognition of registration in apprenticeship programs

In providing related and supplemental instruction pursuant to Section 3074, and notwithstanding any provisions of the Education Code, the Superintendent of Public Instruction and the Chancellor of the California Community Colleges shall recognize registration in an apprenticeship program approved by the Division of Apprenticeship Standards in the Department of Industrial Relations as an acceptable prerequisite to enrollment into such related and supplemental classes.

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1989 Main Volume

(Added by Stats.1976, c. 1179, p. 5280, § 5.5, eff. Sept. 22, 1976. Amended by Stats.1984, c. 285, §1.)

<General Materials (GM) - References, Annotations, or Tables>

NOTES OF DECISIONS

Apportionment 1

enrollment is limited to registered apprentices only. 60
Ops.Att'y.Gen. 214, 7-7-77.

1. Apportionment

West's Ann. Cal. Labor Code § 3074.3

The chancellor of the California community colleges is required by this section to provide apportionment for attendance of registered apprentices in a class of related and supplemental instruction in which

CA LABOR § 3074.3

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§ 3074.7. Fees

Notwithstanding any other provision of law, the governing board of a school district which offers classroom instruction in postgraduate and upgrading courses pursuant to subdivision (d) of Section 3093 of this code may impose a fee upon individuals receiving instruction in such postgraduate and upgrading courses. Such fee shall be not more than the amount necessary, as determined by the governing board, to cover the total cost of all such classroom instruction given the individuals.

CREDIT(S)

1989 Main Volume

(Added by Stats.1968, c. 961, p. 1847, § 2.)

<General Materials (GM) - References, Annotations, or Tables>

CROSS REFERENCES

Exemption of apprentice from educational fees or charges, see Education Code §§ 48053, 76350.

West's Ann. Cal. Labor Code § 3074.7

CA LABOR § 3074.7

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§ 3075. Apprenticeship programs; administration; necessary conditions

(a) An apprenticeship program may be administered by a joint apprenticeship committee, unilateral management or labor apprenticeship committee, or an individual employer. Programs may be approved by the chief in any trade in the state or in a city or trade area, whenever the apprentice training needs justify the establishment. Where a collective bargaining agreement exists, a program shall be jointly sponsored unless either party to the agreement waives its right to representation in writing. Joint apprenticeship committees shall be composed of an equal number of employer and employee representatives.

(b) For purposes of this section, the apprentice training needs in the building and construction trades shall be deemed to justify the approval of a new apprenticeship program only if any of the following conditions are met:

(1) There is no existing apprenticeship program approved under this chapter serving the same craft or trade and geographic area.

(2) Existing apprenticeship programs approved under this chapter that serve the same craft or trade and geographic area do not have the capacity, or neglect or refuse, to dispatch sufficient apprentices to qualified employers at a public works site who are willing to abide by the applicable apprenticeship standards.

(3) Existing apprenticeship programs approved under this chapter that serve the same trade and geographic area have been identified by the California Apprenticeship Council as deficient in meeting their obligations under this chapter.

(c) Notwithstanding subdivision (b), the California Apprenticeship Council may approve a new apprenticeship program if special circumstances, as established by regulation, justify the establishment of the program.

CREDIT(S)

1989 Main Volume

(Added by Stats.1939, c. 220, p. 1473, § 2. Amended by Stats.1976, c. 1179, p. 5281, § 6, eff. Sept. 22, 1976; Stats.1984, c. 330, § 3.)

2002 Electronic Update

(Amended by Stats.1999, c. 903 (A.B.921), § 7.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

2002 Electronic Update

1999 Legislation

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Section 1 of Stats.1999, c. 903 (A.B.921), provides:

"The Legislature finds and declares that apprenticeship programs are a vital part of the educational system in California. It is the purpose and goal of this legislation to strengthen the regulation of apprenticeship programs in California, to ensure that all apprenticeship programs approved under Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code meet the high standards necessary to prepare apprentices for the workplaces of the future and to prevent the exploitation of apprentices by employers or apprenticeship programs. It is further the intent of the Legislature that apprenticeship programs should make active efforts to recruit qualified men, women, and minorities and train them in the skills needed for the workplace."

1989 Main Volume

Former § 3075, enacted by Stats.1937, c. 90, relating to apprenticeship of minors was repealed by Stats.1939, c. 220, § 1.

CODE OF REGULATIONS REFERENCES

Apprenticeship programs, see 8 Cal. Code of Regs. § 218.

Approval of apprenticeship programs, see 8 Cal. Code of Regs. § 212.2.

Definitions, apprenticeship, see 8 Cal. Code of Regs. § 205.

NOTES OF DECISIONS

In general 1 Preemption 2

1. In general

Under §§ 3071 to 3090, a joint apprenticeship committee is necessary to establishment and carrying on of an apprenticeship program, and both employer and employee participation is required if program is to be approved under the Act. 7 Ops.Atty.Gen. 163, 3-14-46.

2. Preemption

California's journeyman prevailing wage law, which requires payment of prevailing wages to employees in apprenticeship programs that have not received state approval but allows payment of lower apprenticeship wages to employees participating in state approved programs, does not make "reference to" ERISA plans, for purpose of determining whether law relates to ERISA plans and is preempted; approved apprenticeship programs are not necessarily ERISA plans. California Div. of Labor Standards Enforcement v. Dillingham Const., N.A., Inc., U.S.Cal.1997, 117 S.Ct. 832, 519 U.S. 316, 136 L.Ed.2d 791, on remand 190 F.3d 1034.

Apprenticeship program was "employee welfare benefit plan" under ERISA, for purposes of

determining whether California statute requiring demonstration of local need as prerequisite to approval of apprenticeship programs was preempted by ERISA. Associated General Contractors, San Diego Chapter, Inc., Apprenticeship and Training Trust Fund v. Smith, C.A.9 (Cal.)1996, 74 F.3d 926.

California statute requiring demonstration of local need for apprentice training as prerequisite to approval of apprenticeship program "related to" apprenticeship plan, for purposes of determining whether statute was preempted by ERISA. Associated General Contractors, San Diego Chapter, Inc., Apprenticeship and Training Trust Fund v. Smith, C.A.9 (Cal.)1996, 74 F.3d 926.

ERISA's savings clause did not preclude preemption of California statute requiring demonstration of local need as prerequisite to approval of apprenticeship programs; Fitzgerald Act did not rely on state laws for enforcement and included no clause preserving nonconflicting state laws, statute was not enforcement mechanism of federal law, and, to extent that its enforcement was preempted by ERISA, federal law was not impaired. Associated General Contractors, San Diego Chapter, Inc., Apprenticeship and Training Trust Fund v. Smith, C.A.9 (Cal.)1996, 74 F.3d 926.

West's Ann. Cal. Labor Code § 3075

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§ 3075.1. Apprenticeship as form of on-the-job training

It is the public policy of this state to encourage the utilization of apprenticeship as a form of on-the-job training, when such training is cost-effective in developing skills needed to perform public services. State and local public agencies shall make a diligent effort to establish apprenticeship programs for apprenticeable occupations in their respective work forces. In furtherance of this policy, public agencies shall take into consideration (a) the extent to which a continuous supply of trained personnel is readily available to public agencies to meet their skill requirements in the various occupations which are determined to be apprenticeable, and (b) the application of established programs in the private sector, where appropriate. Public sector apprenticeship programs should be fully compatible with affirmative action goals for the participation of minorities and women in apprenticeship programs.

CREDIT(S)

1989 Main Volume

(Added by Stats.1976, c. 1179, p. 5281, § 7, eff. Sept. 22, 1976.)

<General Materials (GM) - References, Annotations, or Tables>

CODE OF REGULATIONS REFERENCES

Selection procedures, see 8 Cal. Code of Regs. § 215.

West's Ann. Cal. Labor Code § 3075.1

CA LABOR § 3075.1

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§ 3076. Function of committees

The function of a joint apprenticeship committee, when specific written authority is delegated by the parent organizations represented, shall be to establish work processes, wage rates, working conditions for apprentices, the number of apprentices which shall be employed in the trade under apprentice agreements, and aid in the adjustment of apprenticeship disputes in accordance with standards for apprenticeship set up by the California Apprenticeship Council. Disciplinary proceedings resulting from disputes shall be duly noticed to the involved individuals.

CREDIT(S)

1989 Main Volume

(Added by Stats.1939, c. 220, p. 1473, § 2. Amended by Stats.1963, c. 89, p. 718, § 1; Stats.1968, c. 1346, p. 2566, § 2; Stats.1969, c. 313, p. 681, § 4; Stats.1976, c. 1179, p. 5281, § 8, eff. Sept. 22, 1976; Stats.1984, c. 330, § 4; Stats.1985, c. 272, § 3.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Former § 3076, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CODE OF REGULATIONS REFERENCES

Apprenticeship programs, see 8 Cal. Code of Regs. § 218.

Selection procedures, see 8 Cal. Code of Regs. § 215.

West's Ann. Cal. Labor Code § 3076

CA LABOR § 3076

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§ 3076.3. Program sponsors; duties

Program sponsors shall establish selection procedures which specify minimum requirements for formal education or equivalency, physical examination, if any, subject matter of written tests and oral interviews, and any other criteria pertinent to the selection process; shall specify the relative weights of all factors which determine selection to an apprenticeship program; shall submit in writing to the chief an official statement of each selection procedure including the filing date and location of the program sponsor; shall make a copy of the selection procedures available to each applicant; shall provide in writing to each applicant not selected an official explanation setting forth the reason or reasons for the nonselection, copies of which shall be retained as a public record in the files of the program sponsor for a period of five years; and shall implement affirmative action programs for minorities and women in accordance with the rules, regulations, and guidelines of the California Apprenticeship Council.

CREDIT(S)

1989 Main Volume

(Added by Stats. 1984, c. 330, § 4.5.)

<General Materials (GM) - References, Annotations, or Tables>

LIBRARY REFERENCES

1989 Main Volume

Master and Servant 9.1.
WESTLAW Topic No. 255.
C.J.S. Apprentices §§ 2 to 11.

West's Ann. Cal. Labor Code § 3076.3

CA LABOR § 3076.3

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§ 3077. Apprentice and apprenticeship agreement defined; term of apprenticeship

The term "apprentice" as used in this chapter, means a person at least 16 years of age who has entered into a written agreement, in this chapter called an "apprentice agreement," with an employer or program sponsor. The term of apprenticeship for each apprenticeable occupation shall be approved by the chief, and in no case shall provide for less than 2,000 hours of reasonably continuous employment for such person and for his or her participation in an approved program of training through employment and through education in related and supplemental subjects.

CREDIT(S)

1989 Main Volume

(Added by Stats.1939, c. 220, p. 1473, § 2. Amended by Stats.1951, c. 1074, p. 2804, § 1; Stats.1984, c. 330, § 6.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

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The 1951 amendment divided the section into two sentences. There was no change of text in that portion which became the first sentence, of the present section. In forming the second sentence, the amendment omitted the words "which apprentice agreement provides for not less" and substituted "The term of apprenticeship for apprenticeable occupation shall be approved by the administrator, and in no case shall provide for less".

The 1984 amendment substituted in the first sentence "an employer or program sponsor" for "an employer or his agent, an association of employers, or an organization of employees, or a joint committee representing both"; substituted in the second sentence "chief" for "administrator"; and inserted in the second sentence "or her" following "his".

Former § 3077, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CROSS REFERENCES

Admission of apprentice to community college, see Education Code § 76000.

Annual survey of ethnic derivation authorized, see Labor Code § 151.

Eligibility of apprentice, as defined in this section, for admission to two- year community college, see Education Code § 76000.

Employment of registered apprentices, see Labor Code § 1777.5.

CODE OF REGULATIONS REFERENCES

Apprenticeship programs, see 8 Cal. Code of Regs. § 218.

California apprenticeship council, termination of apprentice agreements, see 8 Cal. Code of Regs. § 207.

Definitions, apprenticeship, see 8 Cal. Code of Regs. § 205.

Selection procedures, see 8 Cal. Code of Regs. § 215.

LIBRARY REFERENCES

1989 Main Volume

Master and Servant Ⓢ9.1.
WESTLAW Topic No. 255.
C.J.S. Apprentices §§ 2 to 11.

West's Ann. Cal. Labor Code § 3077

CA LABOR § 3077

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§ 3078. Apprenticeship agreement; required provisions

Every apprenticeship agreement entered into under this chapter shall directly, or by reference, contain:

- (a) The names of the contracting parties.
- (b) The date of birth of the apprentice.
- (c) A statement of the trade, craft, or business which the apprentice is to be taught, and the time at which the apprenticeship will begin and end.
- (d) A statement showing the number of hours to be spent by the apprentice in work and the learning objectives to be accomplished through related and supplemental instruction, except as otherwise provided under Section 3074. These exceptions shall be subject to the appeal procedures established in Sections 3081, 3082, 3083, and 3084. A minimum of 144 hours of related and supplemental instruction for each year of apprenticeship is recommended; however, related instruction may be expressed in terms of units or other objectives to be accomplished. In no case shall the combined weekly hours of work and required related and supplemental instruction of the apprentice exceed the maximum number of hours of work prescribed by law for a person of the age of the apprentice.
- (e) A statement setting forth a schedule of the processes in the trade or industry divisions in which the apprentice is to be taught and the approximate time to be spent at each process.
- (f) A statement of the graduated scale of wages to be paid the apprentice and whether the required schooltime shall be compensated.
- (g) A statement providing for a period of probation of not more than 1,000 hours of employment and not more than 72 hours of related instruction, during which time the apprentice agreement may be terminated by the program sponsor at the request in writing of either party, and providing that after the probationary period the apprentice agreement may be terminated by the administrator by mutual agreement of all parties thereto, or canceled by the administrator for good and sufficient reason.
- (h) A provision that all controversies or differences concerning the apprentice agreement which cannot be adjusted locally, or which are not covered by collective-bargaining agreement, shall be submitted to the administrator for determination as provided for in Section 3081.
- (i) A provision that an employer who is unable to fulfill his or her obligation under the apprentice agreement may, with approval of the administrator, transfer the contract to any other employer if the apprentice consents and the other employer agrees to assume the obligation of the apprentice agreement.
- (j) Such additional terms and conditions as may be prescribed or approved by the California Apprenticeship Council, not inconsistent with the provisions of this chapter.
- (k) A clause providing that there shall be no liability on the part of the other contracting party for an injury sustained by

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an apprentice engaged in schoolwork at a time when the employment of the apprentice has been temporarily or permanently terminated.

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(Added by Stats.1939, c. 220, p. 1473, § 2. Amended by Stats.1963, c. 125, p. 798, § 1; Stats.1969, c. 313, p. 682, § 5; Stats.1975, c. 1051, p. 2486, § 2; Stats.1976, c. 301, p. 610, § 4; Stats.1984, c. 330, § 8.)

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The 1963 amendment, at the end of the first sentence of subd. (d) inserted ", except as otherwise provided by those responsible under Section 3074 for related and supplemental instruction"; inserted the second sentence of subd. (d); and made a nonsubstantive language change in subd. (e).

The 1969 amendment substituted "California Apprenticeship Council" for "State Apprenticeship Council" in subd. (j).

The 1975 amendment, in subd. (g), substituted "1,000" for "500"; and also substituted "not more than 72 hours of related instruction" for "instruction extending over not more than four months".

The 1976 amendment, in the first sentence of subd. (d) substituted "learning objectives to be accomplished through related and supplemental instruction, except as otherwise provided under Section 3074" for "number of hours to be spent in related and supplemental instruction, which instruction shall not be less than 144 hours per year, except as otherwise provided by those responsible under Section 3074 for related and supplemental instruction"; inserted the third sentence of subd. (d); and in the fourth sentence of subd. (d) deleted "or sex" following "age".

The 1984 amendment, in the introductory clause, inserted "directly, or by reference,"; in subd. (g), substituted "program sponsor" for "local joint apprenticeship committee"; and made nonsubstantive changes.

Former § 3078, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CROSS REFERENCES

Exemption of apprentice from educational fees or charges, see Education Code §§ 48053, 76350.

Exemption of apprentice from interdistrict attendance agreements, see Education Code § 8151.

Tuition, fees and charges, supplemental instruction, see Education Code §§ 48053, 76350.

CODE OF REGULATIONS REFERENCES

Apprenticeship completion certificates, when issued, see 8 Cal. Code of Regs. § 224.

Apprenticeship programs, see 8 Cal. Code of Regs. § 218.

California apprenticeship council, termination of apprentice agreements, see 8 Cal. Code of Regs. § 207.

LIBRARY REFERENCES

1989 Main Volume

Master and Servant 9.1.
 WESTLAW Topic No. 255.
 C.J.S. Apprentices §§ 2 to 11.
 Cal Digest of Official Reports 3d Series, Labor § 5.

NOTES OF DECISIONS

Construction with other laws 1
 Discipline 2
 Sponsors for minors 3
 Wage scale 4

1. Construction with other laws

Workers' compensation claimant's attendance of apprenticeship class was not undertaken at employer's request or invitation, and therefore injury resulting from automobile accident while returning home from attending class was not compensable under special errand exception to going and coming rule, notwithstanding that collective bargaining agreement established closed union shop, that mandatory attendance of apprenticeship classes was requirement for union membership, and that employer was signatory to "apprentice agreement" signed by claimant. *C.L. Pharris Sand & Gravel, Inc. v. W.C.A.B.* (App. 4 Dist. 1982) 187 Cal.Rptr. 899, 138 Cal.App.3d 584.

2. Discipline

Apprenticeship agreement can properly contain a provision that if indentured apprentice shall fail to fulfill his obligation under the agreement, apprentice may be disciplined or suspended and that for continued failure to perform the agreement may be discharged. 12 Ops.Atty.Gen. 206, 10-14-48.

3. Sponsors for minors

Under this section, an apprenticeship agreement must be signed by the minor's parent or guardian, and the local joint apprenticeship committee cannot name a representative to sponsor the agreement for minors who have no parents or guardians residing in the community. 3 Ops.Atty.Gen. 190, 4-3-44.

4. Wage scale

Under this section providing that apprenticeship agreement must contain statement of graduated scale of wages to be paid to apprentice, wage to be used is wage actually paid journeyman in particular establishment where apprentice is employed. 16 Ops.Atty.Gen. 170, 11-20-50.

Minimum wage fixed by regularly promulgated industrial welfare commission orders, which are enacted under the police power of the state and have force and effect of statutes, will prevail over any minimum wage that may be fixed and approved in an apprenticeship agreement. 1 Ops.Atty.Gen. 251, 3-19-43.

West's Ann. Cal. Labor Code § 3078

CA LABOR § 3078

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§ 3079. Approval and execution of agreement; agreement binding during majority of apprentice

Every apprentice agreement under this chapter shall be approved by the local joint apprenticeship committee or the parties to a collective bargaining agreement or, subject to review by the council, by the administrator where there is no collective bargaining agreement or joint committee, a copy of which shall be filed with the California Apprenticeship Council. Every apprentice agreement shall be signed by the employer, or his or her agent, or by a program sponsor, as provided in Section 3080, and by the apprentice, and if the apprentice is a minor, by the minor's parent or guardian. Where a minor enters into an apprentice agreement under this chapter for a period of training extending into his or her majority, the apprentice agreement shall likewise be binding for such a period as may be covered during the apprentice's majority.

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(Added by Stats.1939, c. 220, p. 1474, § 2. Amended by Stats.1947, c. 821, p. 1946, § 1; Stats.1969, c. 313, p. 683, § 6; Stats.1984, c. 330, § 9.)

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The 1947 amendment required approval by the local joint apprenticeship committee "or the parties to a collective bargaining agreement or, subject to review by the council, by the administrator where there is no collective bargaining agreement or joint apprenticeship committee". In the last sentence, the amendment referred to the "apprenticeship" agreement instead of to the "apprentice" agreement.

The 1969 amendment substituted "California" for "State" preceding "Apprenticeship Council".

The 1984 amendment, in the first sentence, substituted "joint committee" for "joint apprenticeship committee"; in the second sentence, substituted "a program sponsor" for "an association of employer, or an organization of employees, or a joint committee representing both"; in the third sentence, substituted "apprentice" for "apprenticeship"; and made nonsubstantive changes.

Former § 3079, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CODE OF REGULATIONS REFERENCES

Appeals from joint apprenticeship council, see 8 Cal. Code of Regs. § 203.

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California apprenticeship council,

Approval and registration of apprentice agreements, see 8 Cal. Code of Regs. § 206.

Termination of apprentice agreements, see 8 Cal. Code of Regs. § 207.

Definitions, apprenticeship, see 8 Cal. Code of Regs. § 205.

Local apprenticeship programs, see 8 Cal. Code of Regs. § 218.

NOTES OF DECISIONS

Approval 1

Nomination of guardians for minors 2

1. Approval

An apprenticeship program may be set up without a joint apprenticeship committee, if the apprenticeship agreement is approved by the administrators subject to review by the California apprenticeship council. 14 Ops.Atty.Gen. 203, 11-9-49.

Under §§ 3071 to 3090, a joint apprenticeship committee is necessary to establishment and carrying on of an apprenticeship program, and both employer and employee participation is required if program is to be approved under the act. 7 Ops.Atty.Gen. 163, 3-14-46.

2. Nomination of guardians for minors

Local joint apprenticeship committees cannot name a representative to sponsor the apprenticeship agreements for minors who do not have any parents or guardian residing in the community, but, where there is not a competent parent, guardian may be appointed by the superior court, and minor over fourteen years of age may nominate his own guardian. 3 Ops.Atty.Gen. 190, 4-3-44.

West's Ann. Cal. Labor Code § 3079

CA LABOR § 3079

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§ 3080. Execution of agreement by employers' association and employees' organizations; required provisions

(a) For the purpose of providing greater diversity of training or continuity of employment, any apprentice agreement made under this chapter may in the discretion of the California Apprenticeship Council be signed by an association of employers or an organization of employees instead of by an individual employer. In that case, the apprentice agreement shall expressly provide that the association of employers or organization of employees does not assume the obligation of an employer but agrees to use its best endeavors to procure employment and training for an apprentice with one or more employers who will accept full responsibility, as herein provided, for all the terms and conditions of employment and training set forth in the agreement between the apprentice and employer association or employee organization during the period of the apprentice's employment. The apprentice agreement shall also expressly provide for the transfer of the apprentice, subject to the approval of the California Apprenticeship Council, to an employer or employers who shall sign a written agreement with the apprentice, and if the apprentice is a minor, with the apprentice's parent or guardian, as specified in Section 3079, contracting to employ the apprentice for the whole or a definite part of the total period of apprenticeship under the terms and conditions of employment and training set forth in the apprentice agreement.

(b) All apprenticeship programs with more than one employer or an association of employers shall include provisions sufficient to ensure meaningful representation of the interests of apprentices in the management of the program.

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(Added by Stats.1939, c. 220, p. 1475, § 2. Amended by Stats.1969, c. 313, p. 683, § 7; Stats.1984, c. 330, § 10.)

2002 Electronic Update

(Amended by Stats.1999, c. 903 (A.B.921), § 8.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

2002 Electronic Update

1999 Legislation

Section 1 of Stats.1999, c. 903 (A.B.921), provides:

"The Legislature finds and declares that apprenticeship programs are a vital part of the educational system in California. It is the purpose and goal of this legislation to strengthen the regulation of apprenticeship programs in California, to ensure that all apprenticeship programs approved under Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code meet the high standards necessary to prepare apprentices for the workplaces of the future

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and to prevent the exploitation of apprentices by employers or apprenticeship programs. It is further the intent of the Legislature that apprenticeship programs should make active efforts to recruit qualified men, women, and minorities and train them in the skills needed for the workplace."

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The 1969 amendment substituted "California" for "State" preceding "Apprenticeship Council".

The 1984 amendment made nonsubstantive changes in language.

Former § 3080, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CODE OF REGULATIONS REFERENCES

Apprenticeship programs, see 8 Cal. Code of Regs. 218.

California apprenticeship council,

Approval and registration of apprentice agreements, see 8 Cal. Code of Regs. § 206.

Termination of apprentice agreements, see 8 Cal. Code of Regs. § 207.

West's Ann. Cal. Labor Code § 3080

CA LABOR § 3080

END OF DOCUMENT

NOTES OF DECISIONS

Attendance 1

Other programs 2

1. Attendance

Where 144 hours per year is available to apprentice and he wilfully or negligently refuses to attend such instructions, his lack of attendance is grounds for disciplinary action under this section and may, by council rule, be made grounds for refusing him state trade certificate. 21 Ops.Atty.Gen. 161, 4-14-53.

2. Other programs

The California apprenticeship council has authority to establish by regulation, complaint and appeal rights for trainees in "other on-the-job training programs" similar to those accorded apprentices by this section and following sections. 64 Ops.Atty.Gen. 74, 2-5-81.

West's Ann. Cal. Labor Code § 3081

CA LABOR § 3081

END OF DOCUMENT

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§ 3082. Appeal of administrator's determination to council

The determination of the administrator shall be filed with the California Apprenticeship Council. If no appeal therefrom is filed with the California Apprenticeship Council within 10 days from the date the parties are given notification of the determination, in accordance with Section 1013a and Section 2015.5 of the Code of Civil Procedure, the determination shall become the order of the California Apprenticeship Council. Any person aggrieved by the determination or action of the administrator may appeal therefrom to the California Apprenticeship Council, which shall review the entire record and may hold a hearing thereon after due notice to the interested parties.

CREDIT(S)

1989 Main Volume

(Added by Stats.1939, c. 220, p. 1475, § 2. Amended by Stats.1969, c. 313, p. 684, § 9; Stats.1984, c. 370, § 1.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

The 1969 amendment inserted "California" preceding "Apprenticeship Council" throughout the section.

The 1984 amendment, in the second sentence, substituted "from the date the parties are given notification of the determination in accordance with Section 1013a and Section 2015.5 of the Code of Civil Procedure, the" for "after date thereof, as herein provided, such"; in the third sentence, substituted "which shall review the entire record and may" for "who shall"; and made a nonsubstantive language in the third sentence.

Former § 3082, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CROSS REFERENCES

Computation of time, see GOVERNMENT CODE § 6800 et seq.

CODE OF REGULATIONS REFERENCES

Appeals to California apprenticeship council, see 8 Cal. Code of Regs. § 253.

Investigations, holding of hearings and determinations, see 8 Cal. Code of Regs. § 202.

Procedure for appeals to apprenticeship council, see 8 Cal. Code of Regs. § 203.

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§ 3083. Decision of council; effect

The decision of the California Apprenticeship Council as to the facts shall be conclusive if supported by the evidence and all orders and decisions of the California Apprenticeship Council shall be prima facie lawful and reasonable.

CREDIT(S)

1989 Main Volume

(Added by Stats.1939, c. 220, p. 1476, § 2. Amended by Stats.1969, c. 313, p. 684, § 10.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

The 1969 amendment inserted "California" preceding "Apprenticeship Council".

Former § 3083, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CODE OF REGULATIONS REFERENCES

Appeals to California apprenticeship council, see 8 Cal. Code of Regs. § 253.

West's Ann. Cal. Labor Code § 3083

CA LABOR § 3083

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§ 3084. Judicial review of questions of law

Any party to an apprentice agreement aggrieved by an order or decision of the California Apprenticeship Council may maintain appropriate proceedings in the courts on questions of law. The decision of the California Apprenticeship Council shall be conclusive if the proceeding is not filed within 30 days after the date the aggrieved party is given notification of the decision.

CREDIT(S)

1989 Main Volume

(Added by Stats.1939, c. 220, p. 1476, § 2. Amended by Stats.1969, c. 313, p. 684, § 11; Stats.1984, c. 370, § 2.)

<General Materials (GM) - References, Annotations, or Tables>

II HISTORICAL AND STATUTORY NOTES

1989 Main Volume

The 1969 amendment substituted "California Apprenticeship Council" for "Apprenticeship Council".

The 1984 amendment, in the second sentence, in addition to nonsubstantive changes, substituted "the aggrieved party is given notification of the" for "such order or".

Former § 3084, enacted by Stats.1937, c. 90, relating to apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CROSS REFERENCES

Computation of time, see Government Code § 6800.

CODE OF REGULATIONS REFERENCES

Appeals to California apprenticeship council, see 8 Cal. Code of Regs. § 253.

LIBRARY REFERENCES

1989 Main Volume

Master and Servant ⚙ 9.1.
WESTLAW Topic No. 255.
C.J.S. Apprentices §§ 2 to 11.

WEST'S ANNOTATED CALIFORNIA CODES
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§ 3085. Prerequisites to actions on agreement; exhaustion of administrative remedies

No person shall institute any action for the enforcement of any apprentice agreement, or damages for the breach of any apprentice agreement, made under this chapter, unless he shall first have exhausted all administrative remedies provided by this chapter.

CREDIT(S)

1989 Main Volume

(Added by Stats.1939, c. 220, p. 1476, § 2.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Former § 3085, enacted by Stats.1937, c. 90, relating to indenture and apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

West's Ann. Cal. Labor Code § 3085

CA LABOR § 3085

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§ 3086. Collective bargaining agreements establishing apprenticeship standards

Nothing in this chapter or in any apprentice agreement approved under this chapter shall operate to invalidate any apprenticeship provision in any collective agreement between employers and employees setting up higher apprenticeship standards.

CREDIT(S)

1989 Main Volume

(Added by Stats.1939, c. 220, p. 1476, § 2.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Former § 3086, enacted by Stats.1937, c. 90, relating to indenture and apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CODE OF REGULATIONS REFERENCES

Definitions, apprenticeship, see 8 Cal. Code of Regs. § 205.

LIBRARY REFERENCES

1989 Main Volume

Labor Relations Ⓒ244.
WESTLAW Topic No. 232A.
C.J.S. Labor Relations § 220.

UNITED STATES CODE ANNOTATED

Federal promotion of labor standards of apprenticeship, see 29 U.S.C.A. § 50.

NOTES OF DECISIONS

Changes in wage rates 1

1. Changes in wage rates

By signing agreement to abide by apprenticeship standards, employer agrees to be bound by changes in rates included within standards when such rates are changed by action of joint committee with approval of

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employer and employee organization and approval of administrator, and employer, though not a party to collective bargaining agreement which results in change in percentage rate for apprentices, is required to pay the new rate for apprentice who has signed apprenticeship agreement under the old rate, in view of this section providing that apprenticeship agreement shall not operate to invalidate provisions in collective

bargaining agreement setting up higher apprenticeship standards. 23 Ops.Atty.Gen. 129, 3-12-54.

West's Ann. Cal. Labor Code § 3086

CA LABOR § 3086

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§ 3088. Severability of chapter provisions

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the remainder of the chapter and the application of such provision to other persons and circumstances, shall not be affected thereby.

CREDIT(S)

1989 Main Volume

(Added by Stats.1939, c. 220, p. 1476, § 2.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Former § 3088, enacted by Stats.1937, c. 90, relating to indenture and apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

West's Ann. Cal. Labor Code § 3088

CA LABOR § 3088

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§ 3090. Applications for apprenticeship and on-the-job training; contracts with federal agencies

The Division of Apprenticeship Standards shall investigate, approve or reject applications from establishments for apprenticeship and other on-the-job training, and for that purpose, may cooperate, or contract with, and receive reimbursements from the appropriate agencies of the Federal Government.

CREDIT(S)

1989 Main Volume

(Added by Stats.1947, c. 42, p. 528, § 1.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Former § 3090, enacted by Stats.1937, c. 90, relating to indenture and apprenticeship of minors, was repealed by Stats.1939, c. 220, § 1.

CODE OF REGULATIONS REFERENCES

Appeals to California apprenticeship council, see 8 Cal. Code of Regs. § 253.

Approval of apprenticeship programs, see 8 Cal. Code of Regs. § 212.2.

Declaration of policy, see 8 Cal. Code of Regs. § 254.

Definitions, apprenticeship, see 8 Cal. Code of Regs. § 205.

Deregistration of programs, see 8 Cal. Code of Regs. § 212.4.

Investigations, holding of hearings and determinations, see 8 Cal. Code of Regs. § 252.

Journeyman on-the-job training, see 8 Cal. Code of Regs. §§ 281, 282.

Other on-the-job training, see 8 Cal. Code of Regs. § 250 et seq.

Procedures for hearings and determining disputes, see 8 Cal. Code of Regs. § 251 et seq.

Selection procedures, rules and regulations, see 8 Cal. Code of Regs. § 265 et seq.

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Standards for wages, hours and working conditions for trainees, see 8 Cal. Code of Regs. § 258 et seq.

Training standards, see 8 Cal. Code of Regs. § 261 et seq.

West's Ann. Cal. Labor Code § 3090

CA LABOR § 3090

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§ 3091. Acceptance into apprenticeship training program predicated on payment of fee

Acceptance of an application for entrance into an apprenticeship training program shall not be predicated on the payment of any fee. Reasonable costs for expense incurred may be charged after an applicant has been accepted into the program.

CREDIT(S)

1989 Main Volume

(Added by Stats.1968, c. 1124, p. 2139, § 1.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Former § 3091 added by Stats.1957, c. 2209, p. 3864, § 1, relating to open and public meetings was repealed by Stats.1967, c. 1656, p. 4024, § 95. See, now, Government Code § 11120 et seq.

Former § 3091, enacted by Stats.1937, c. 90, relating to indenture and apprenticeship of minors was repealed by Stats.1939, c. 220, § 1.

West's Ann. Cal. Labor Code § 3091

CA LABOR § 3091

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§ 3091.5. Sale of instructional material; special deposit fund account

Pursuant to Section 16370 of the Government Code, there is hereby authorized in the State Treasury a Special Deposit Fund Account, which shall consist of moneys collected from the sale of instructional material to persons enrolled in any apprenticeship training program under this chapter. All of the moneys collected are hereby appropriated without regard to fiscal year for the support of the Department of Education to be used for the development and production of apprenticeship instructional material.

CREDIT(S)

1989 Main Volume

(Added by Stats.1985, c. 1546, § 19.)

<General Materials (GM) - References, Annotations, or Tables>

West's Ann. Cal. Labor Code § 3091.5

CA LABOR § 3091.5

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§ 3092. Apprenticeship term credit for successful graduation from specified training program

A successful graduate of a training program in a particular apprenticeable occupation of a vocational education program meeting the standards of the California State Plan for Vocational Education may receive credit toward a term of apprenticeship if the program is jointly established and approved by a school district, a county superintendent of schools, a public entity conducting a regional occupational center or program, or a private postsecondary vocational school accredited by a regional or national accrediting agency recognized by the United States Office of Education and the program sponsor of the particular apprenticeable occupation.

CREDIT(S)

1989 Main Volume

(Added by Stats.1976, c. 1262, p. 5595, § 1. Amended by Stats.1984, c. 330, § 11.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Former § 3092, added by Stats.1957, c. 2209, § 2, relating to public inspection of records, was repealed by Stats.1968, c. 1473, § 63. See, now, Government Code § 6250 et seq.

LIBRARY REFERENCES

1989 Main Volume

Master and Servant ↪ 9.1.
WESTLAW Topic No. 255.
C.J.S. Apprentices §§ 2 to 11.

West's Ann. Cal. Labor Code § 3092

CA LABOR § 3092

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§ 3093. On-the-job training programs

(a) Application of section. This section applies only when voluntarily requested by the parties to a collective bargaining agreement or by an employer, his or her association, or a union, or its representative where there is no collective bargaining agreement.

(b) Interference with established training programs. Nothing in this section may be construed in any way so as to compel, regulate, interfere with, or duplicate the provisions of any established training programs which are operated under the terms of any collective bargaining agreements or unilaterally by any employer or bona fide labor union.

(c) Voluntary nature of services. Services contemplated under this section may be provided only when voluntarily requested and shall be denied when it is found that existing prevailing conditions in the area and industry would in any way be lowered or adversely affected.

(d) California apprenticeship council; promotion of programs. The California Apprenticeship Council in cooperation with the Department of Education, the Employment Development Department, and the Board of Governors of the California Community Colleges may foster and promote on-the-job training programs other than apprenticeship as follows: (1) programs for journeymen in the apprenticeable occupations to keep them abreast of current techniques, methods, and materials and opportunities for advancement in their industries; (2) programs in other than apprenticeable occupations for workers entering the labor market for the first time or workers entering new occupations by reason of having been displaced from former occupations by reason of economic, industrial, technological scientific changes, or developments; (3) the programs shall be in accord with and agreed to by the parties to any applicable collective bargaining agreements and where appropriate will include joint employer-employee cooperation in the programs.

(e) Division of apprenticeship standards; promotion of programs. The Division of Apprenticeship Standards when requested may foster and promote voluntary on-the-job training programs in accordance with this section, and assist employers, employees and other interested persons and agencies in the development and carrying out of the programs. The Division of Apprenticeship Standards shall cooperate in these functions with the Department of Education, the Employment Development Department, and the Board of Governors of the California Community Colleges and other governmental agencies. The Division of Apprenticeship Standards may cooperate with the Department of Corrections and the Department of the Youth Authority in the development of training programs for inmates and releasees of correctional institutions.

(f) Classroom instruction. The programs, where appropriate, may include related and supplemental classroom instruction offered and administered by state and local boards responsible for vocational education.

(g) Effect on division's activities in apprenticeship. The activities and services of the Division of Apprenticeship Standards in training programs under this section shall be performed without curtailing or in any way interfering with the division's activities and services in apprenticeship.

(h) Contracts with governmental agencies. The Division of Apprenticeship Standards may contract with, and receive reimbursements from, appropriate federal, state, and other governmental agencies.

(i) Effect on vocational educational activities. The vocational education activities and services of the Department of Education, the Board of Governors of the California Community Colleges, and local public school districts shall not be abridged or abrogated through implementation of this section.

(j) On-the-job training defined. "On-the-job training" as used in this section refers exclusively to training confined to the needs of a specific occupation and conducted at the jobsite for employed workers.

(k) Journeyman defined. "Journeyman," as used in this section, means a person who has either (1) completed an accredited apprenticeship in his craft, or (2) who has completed the equivalent of an apprenticeship in length and content of work experience and all other requirements in the apprenticeship standards for the craft which has workers classified as journeymen in an apprenticeable occupation.

(l) Prior approval of programs. Nothing in this section shall be construed to require prior approval, ratification, or reference of any training program to the Division of Apprenticeship Standards or the Department of Industrial Relations.

CREDIT(S)

1989 Main Volume

(Added by Stats.1961, c. 1892, p. 3990, § 1. Amended by Stats.1969, c. 1360, p. 2748, § 4; Stats.1981, c. 714, p. 2720, § 315.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

The 1969 amendment authorized participation by "the Board of Governors of the California Community Colleges" in subds. (d), (e), (i).

The 1981 amendment made nonsubstantive changes to maintain this code.

CROSS REFERENCES

Fees for postgraduate and upgrading courses, see Labor Code § 3074.7.

CODE OF REGULATIONS REFERENCES

Appeals to California apprenticeship council, see 8 Cal. Code of Regs. § 253.

Definitions, see 8 Cal. Code of Regs. § 255.

Investigations, holding of hearings and determinations, see 8 Cal. Code of Regs. § 252.

Journeyman on-the-job training, see 8 Cal. Code of Regs. §§ 281, 282 et seq.

Other on-the-job training, see 8 Cal. Code of Regs. § 250 et seq.

Payment of prevailing wages upon public works, see 8 Cal. Code of Regs. § 16000 et seq.

Standards for wages, hours and working conditions for trainees, see 8 Cal. Code of Regs. § 258 et seq.

State and regional joint training advisory committees, see 8 Cal. Code of Regs. § 271.

State certificates of training, when issued, see 8 Cal. Code of Regs. § 272.

LIBRARY REFERENCES

1989 Main Volume

Labor Relations ↪7.

Master and Servant ↪9.1.

WESTLAW Topic Nos. 232A, 255.

C.J.S. Apprentices §§ 2 to 11.

C.J.S. Labor Relations § 2 et seq.

West's Ann. Cal. Labor Code § 3093

CA LABOR § 3093

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§ 3095. Discrimination as misdemeanor; penalty

Every person who willfully discriminates in any recruitment or apprenticeship program on the basis of race, religious creed, color, national origin, ancestry, or sex is guilty of a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than six months, or both.

CREDIT(S)

1989 Main Volume

(Added by Stats.1965, c. 1449, p. 3398, § 1. Amended by Stats.1967, c. 325, p. 1520, § 1; Stats.1967, c. 1593, p. 3821, § 3; Stats.1971, c. 280, p. 586, § 2.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

The 1967 amendments rewrote the section which originally read: "It shall be unlawful for any person to discriminate in any recruitment or apprenticeship program on the basis of race, creed, color, or national origin."

Effect of amendment of section by two or more acts at the same session of the legislature, see Government Code § 9605.

The 1971 amendment inserted the words "religious", "ancestry," and "sex".

CROSS REFERENCES

California Fair Employment and Housing Act, see Government Code § 12900 et seq.

Misdemeanor defined, see Penal Code § 17.

LIBRARY REFERENCES

1989 Main Volume

Civil Rights Ⓒ3.
WESTLAW Topic No. 78.
C.J.S. Civil Rights §§ 5, 12 to 17.

NOTES OF DECISIONS

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Withdrawal of sanction 1

1. Withdrawal of sanction

Violation of this section as originally enacted making it unlawful for persons to discriminate any recruitment or apprenticeship program on basis of race, creed, color or national origin, was not punishable as misdemeanor, but the California apprenticeship council might withdraw recognition of apprenticeship program

which violated this section thereby making such apprentices ineligible for employment on state and federal work projects. 48 Ops.Atty.Gen. 74, 8-15-66.

West's Ann. Cal. Labor Code § 3095

CA LABOR § 3095

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§ 3097. Provision of services to employment development department; use of funds

The Department of Industrial Relations, Division of Apprenticeship Standards, may cooperate in the provision of, or provide, services to the Employment Development Department, and to service delivery areas, as designated pursuant to the Job Training Partnership Act (P.L. 97-300, [FN1] and Division 8 commencing with Section 15000 of the Unemployment Insurance Code). The Department of Industrial Relations, Division of Apprenticeship Standards may enter into any agreements as may be necessary for this purpose.

The Division of Apprenticeship Standards shall exert maximum effort to persuade sponsors of its registered, nonfederally funded, voluntary apprenticeship and on-the-job training programs to accept to the maximum possible extent the eligible persons as described in the Job Training Partnership Act (P.L. 97-300) and Division 8 (commencing with Section 15000) of the Unemployment Insurance Code.

CREDIT(S)

1989 Main Volume

(Added by Stats.1968, c. 1460, p. 2905, § 10. Amended by Stats.1981, c. 714, p. 2721, § 316; Stats.1985, c. 351, § 1.)

[FN1] 29 U.S.C.A. § 1501 et seq.

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1989 Main Volume

Section 15 of Stats.1968, c. 1460, p. 2917, provided:

"Except as otherwise provided in this section, this act shall become operative at such time as is recommended by the Director of the Department of Human Resources Development, and approved by the Secretary of the Human Relations Agency and the Department of Finance, but not later than January 1, 1970. On the effective date of the transfer of a function, the funds incident to such function shall be transferred to the department.

"The appointment of the Director of the Department of Human Resources Development may be made on or after the effective date of this act and he shall assume such administrative functions and be vested with such powers provided for in this act as are necessary to carry out the provisions of this section. The director, immediately after his appointment, shall appoint such assistants as are necessary to plan and provide for the orderly assumption of those functions transferred to the department.

"The director shall recommend that the act become operative when he has made all arrangements necessary to assure the effectuation of the transfer of programs and funds under the act in an orderly manner and with no disruption of functions and upon determining that sufficient funds and personnel for proper administration are available for

implementation of the act."

Stats.1968, c. 1460, p. 2917, became operative on October 31, 1969, upon recommendation of the Director of the Department of Human Resources Development and approval by the Secretary of the Human Relations Agency and the Department of Finance.

West's Ann. Cal. Labor Code § 3097

CA LABOR § 3097

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§ 3098. Employment as apprentice; employers that are party to apprenticeship agreement or standards

An apprentice registered in an approved apprenticeship program in any of the building and construction trades shall be employed only as an apprentice when performing any construction work for an employer that is a party, individually or through an employer association, to any apprenticeship agreement or standards covering that individual.

CREDIT(S)

2002 Electronic Update

(Added by Stats.1999, c. 903 (A.B.921), § 9.)

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

2002 Electronic Update

1999 Legislation

Section 1 of Stats.1999, c. 903 (A.B.921), provides:

"The Legislature finds and declares that apprenticeship programs are a vital part of the educational system in California. It is the purpose and goal of this legislation to strengthen the regulation of apprenticeship programs in California, to ensure that all apprenticeship programs approved under Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code meet the high standards necessary to prepare apprentices for the workplaces of the future and to prevent the exploitation of apprentices by employers or apprenticeship programs. It is further the intent of the Legislature that apprenticeship programs should make active efforts to recruit qualified men, women, and minorities and train them in the skills needed for the workplace."

West's Ann. Cal. Labor Code § 3098

CA LABOR § 3098

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§ 3099. Electrician competency and training standards

The Division of Apprenticeship Standards shall do all of the following:

- (a) On or before July 1, 2001, establish and validate minimum standards for the competency and training of electricians through a system of testing and certification.
- (b) On or before March 1, 2000, establish an advisory committee and panels as necessary to carry out the functions under this section. There shall be contractor representation from both joint apprenticeship programs and unilateral nonunion programs in the electrical contracting industry.
- (c) On or before July 1, 2001, establish fees necessary to implement this section.
- (d) On or before July 1, 2001, establish and adopt regulations to enforce this section.
- (e) There shall be no discrimination for or against any person based on membership or nonmembership in a union.

As used in this section, "electricians" include all employees who engage in the connection of electrical devices for electrical contractors licensed pursuant to Section 7058 of the Business and Professions Code, specifically, contractors classified as electrical contractors in the Contractors' State License Board Rules and Regulations. This section does not apply to electrical connections under 100 volt-amperes. This section does not apply to persons performing work to which Section 7042.1 of the Business and Professions Code is applicable, or to electrical work ordinarily and customarily performed by stationary engineers.

CREDIT(S)

2002 Electronic Update

(Added by Stats.1999, c. 781 (A.B.931), § 1. Amended by Stats.2000, c. 875 (A.B.2481), § 3.)

<General Materials (GM) - References, Annotations, or Tables>

West's Ann. Cal. Labor Code § 3099

CA LABOR § 3099

END OF DOCUMENT

WEST'S ANNOTATED CALIFORNIA CODES
LABOR CODE
DIVISION 3. EMPLOYMENT RELATIONS
CHAPTER 4. APPRENTICESHIP

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Current through Ch. 219 of 2002 Reg. Sess. urgency Legislation,
ch. 19(end) of 2nd Ex. Sess., ch. 4 of 3rd Ex.Sess., & March 5, 2002 election

§ 3099.5. Electrician Certification Fund

(a) The Electrician Certification Fund is hereby created as a special account in the State Treasury. Proceeds of the fund may be expended by the department, upon appropriation by the Legislature, for the costs of the Division of Apprenticeship Standards program to validate and certify electricians as provided by Section 3099, and shall not be used for any other purpose.

(b) The fund shall consist of the fees collected pursuant to Section 3099.

CREDIT(S)

2002 Electronic Update

(Added by Stats.2000, c. 127 (A.B.2866), § 25, eff. July 10, 2000.)

<General Materials (GM) - References, Annotations, or Tables>

West's Ann. Cal. Labor Code § 3099.5

CA LABOR § 3099.5

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